

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

DANA ALBRECHT,
Plaintiff

v.

JUDGE JOHN PENDLETON, solely in his official capacity as a Judge of the New Hampshire Circuit Court;

REFEREE SCOTT MURRAY, solely in his official capacity as a referee pursuant to N.H. Rev. Stat. § 490-F:15 for the State of New Hampshire;

JUDGE ELLEN CHRISTO, solely in her official capacity as the Administrative Judge of the New Hampshire Circuit Court, and her successor(s) in office;

CHIEF JUSTICE GORDON MACDONALD,
JUSTICE JAMES P. BASSETT, JUSTICE ANNA BARBARA HANZ MARCONI,
JUSTICE PATRICK E. DONOVAN,
JUSTICE MELISSA COUNTWAY, solely in their official capacities as justices of the New Hampshire Supreme Court, and their successor(s) in office;

ERIN CREEGAN, solely in her official capacity as General Counsel of the New Hampshire Judicial Branch, and her successor(s) in office,

TRACY MEYER, solely in her official capacity as the Clerk of the 10th Circuit District Court, Hampton, New Hampshire, and her successor(s) in office;

Civil Action No. 1:25-CV-00093

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THE 24 MEMBERS OF THE
NEW HAMPSHIRE JUDICIAL COUNCIL,
solely in their official capacities as
members of the council, and their
successor(s) in office;

CHARLES M. ARLINGHAUS, solely in his
official capacity as Commissioner at the
New Hampshire Department of
Administrative Services, and his
successor(s) in office;

THE NEW HAMPSHIRE PUBLIC
DEFENDER; a 501(c)(3) corporation;

JOHN FORMELLA, solely in his official
capacity as Attorney General of the State
of New Hampshire, and his successor(s) in
office;

JOHN VENTURA, solely in his official
capacity as Police Prosecutor for the Town
of Seabrook, New Hampshire, and his
successor(s) in office;

DANIEL LAWRENCE, solely in his official
capacity as Sergeant for the Seabrook
Police Department, and his successor(s)
in office;

KASSANDRA STORMS a/k/a
KASSANDRA KAMINSKI, solely in her
official capacity as a patrol officer for the
Seabrook Police Department, and her
successor(s) in office;

THE TOWN OF SEABROOK, a municipal
corporation in New Hampshire;

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THOMAS W. FOWLER, solely in his official
capacity as Chief of Police for the Town of
Salisbury, Massachusetts, and his
successor(s) in office;

ANTHONY KING, solely in his official capacity as former Lieutenant of the Police Department for the Town of Salisbury, Massachusetts, and his successor(s) in office;

PATRICK SZYMKOWSKI, solely in his official capacity as a patrol officer of the Police Department for the Town of Salisbury, Massachusetts, and his successor(s) in office;

THE TOWN OF SALISBURY, a municipal corporation in Massachusetts,

Defendants

DEFENDANTS' MOTION TO DISMISS

NOW COMES the Defendants, Town of Salisbury, Thomas W. Fowler, Patrick Szmkowski, and Anthony King, pursuant to Federal Rules of Civil Procedure Rule 12(b)(6), who respectfully request that this Honorable Court dismiss Plaintiffs' Complaint in its entirety. If the Court finds that dismissal in the entirety is not proper, the Defendant requests dismissal of those claims and parties as the Court sees fit. A memorandum of law is submitted separately in support herewith.

Respectfully submitted,
Town of Salisbury, Thomas W. Fowler,
Patrick Szymkowski and Anthony King,

By their attorney,

/s/Liam Scully
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(617) 307-5056
N.H. Bar No. 16875

/s/ Joseph A. Padolsky

Joseph A. Padolsky (BBO# 679725)
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Dated: May 9, 2025

Certificate of Service

I, Joseph A. Padolsky, hereby certify that on this date a copy of the foregoing filing was forwarded to counsel of record, via ECF.

/s/ Joseph A. Padolsky

Joseph A. Padolsky

Dated: May 9, 2025